

HDMSYS.007A

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Steven Dykeman	Group Art Unit Unknown
Appl. No.	:	10/099,932	
Filed	:	March 13, 2002	
For	:	BATTERY CHARGING METHOD	
Examiner	:	Unknown	

Declaration of Michael Trenholm and James Chang

United States Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

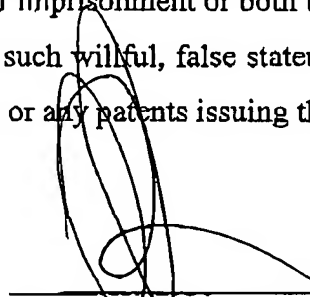
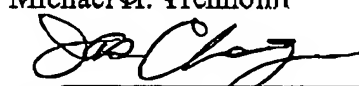
Dear Sir:

We, Michael Trenholm and James Chang, do declare the following:

1. We, being the prosecuting attorney and scientist, respectively, of the above-identified application, did not intend to delay notification of foreign filing of the above-identified application in Taiwan by Aileen Liu. Circumstances that led to the unintentional delay are as follows:
  - a. We filed the above-captioned application on March 13, 2002 as a non-publication application at the request of the inventor and the client (assignee HDM Systems). At the time of filing, the client contact person was Hong Chen.
  - b. Sometime in November, we were contacted by Aileen Liu who informed us that she was the new president of HDM. She requested for a copy of the filed application, and we provided one for her. She also expressed interest in marketing in Asian countries. She gave no indication to us that she would be filing directly in Taiwan. Under the circumstances, we had no reason to believe that she or HDM would do so.

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- c. In a letter dated January 7, 2003, we notified the client about the non-publication status of the above-identified application, and that no foreign filing would occur, unless they changed their mind and instructed us.
  - d. On March 5, 2003, we transmitted a reminder to the client about the foreign filing deadline.
  - e. On March 5, 2003, we received instructions from the client to proceed with foreign filing for "all the countries except Taiwan."
  - f. Subsequent communications with the client revealed to us that they had already filed directly in Taiwan without our knowledge.
  - g. We did not at any time intend to delay notifying the U.S. Patent and Trademark Office of the Taiwan filing.
2. We filed a PCT application on March 13, 2003 based on the above-identified application. A 45-day period for filing a notification of the PCT filing expired on April 27, 2003. Because of the confusion caused by the Taiwan filing, we did not file a timely notification of the PCT filing on or before the April 27, 2003 expiration date. This delay is entirely unintentional.
  3. We declare that all statements made herein of our own knowledge are true and that these statements so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application, of documents or any patents issuing therefrom.

Dated: 5/27/03Dated: 5/27/03  
Michael H. Trenholm  
James Chang

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Examiner	:	Unknown	

Declaration of Aileen Liu

United States Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

Dear Sir:

I, Aileen Liu, do declare the following:

1. I, being the president of HDM Systems Corporation, the assignee of the above-identified application, did not intend to cause abandonment of the above-identified application. Circumstances that led to the unintentional abandonment are as follows:
  - a. I became the president of HDM on or about June 8, 2002.
  - b. Approximately between September and November of 2002, we decided to enter the Taiwan market with battery chargers utilizing concepts addressed in the application.
  - c. In November of 2002, we urgently needed patent protection in Taiwan prior to commencement of selling. Consequently, through my contacts in Taiwan, I had the Taiwanese firm Taiwan International Patent Law Office file the Taiwan application on our behalf.
  - d. The Taiwan application was filed on November 27, 2002, based on the above-identified U.S. application.

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- e. At the time of Taiwanese filing, I did not know about the 45-day requirement for filing a request to rescind the non-publication status of the U.S. application.
  - f. I nor anyone else at HDM notified the firm Knobbe Martens Olson & Bear (KMOB) regarding the facts stated in "b" to "e" above.
  - g. I did not at any time intend to let the above-identified U.S. application go abandoned.
  - h. I did not know about the abandonment until the week of March 10, 2003, during my conversations with Mr. James Chang of KMOB regarding possible foreign filing. Mr. Chang had, on two prior occasions, sent us written notices regarding the foreign filing deadline.
2. I declare that all statements made herein of my own knowledge are true and that these statements so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application, of documents or any patents issuing therefrom.

Dated: March 31, 2003

  
Aileen Liu

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